

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

IN RE: ZIMMER NEXGEN KNEE)	
IMPLANT PRODUCTS LIABILITY)	MDL NO. 2272
LITIGATION)	
)	
This Document Relates to All Cases)	Master Docket Case No. 1:11-cv-05468
)	
)	Honorable Rebecca R. Pallmeyer

MOTION FOR EXTENSION OF TIME TO RESPOND TO DISCOVERY REQUESTS

All defendants in this multidistrict litigation (“MDL”), including Zimmer, Inc., Zimmer Holdings, Inc., Zimmer Surgical, Inc., Wilson Phillips Holdings, Inc., d/b/a Zimmer Wilson/Phillips, Orthopaedic Technologies, LLC, d/b/a Zimmer Tri-State, K. Michael Melia, d/b/a Zimmer Melia & Associates, Inc., Zimmer Orthobiologics, Inc., and Zimmer US, Inc. (collectively, the “Zimmer Entities”), respectfully move for a thirty-day extension of time to respond to the initial discovery requests issued by the Plaintiffs’ Steering Committee. In support of this motion, the Zimmer Entities state as follows:

1. On November 3, 2011, the Zimmer Entities received service of the “Plaintiffs Steering Committee’s First Request for Production to Defendants” (“Request for Production”) and “Plaintiffs Steering Committee’s First Set of Interrogatories to All Defendants” (“Interrogatories”).

2. The Request for Production contains 212 requests, including enumerated subparts, seeking documents on a plethora of topics for a 15 year span of time related to the design, manufacture, regulation, marketing, and sale of multiple components. A copy of the Request for Production is attached as Exhibit A to this motion.

3. The Interrogatories contain 150 interrogatories, including enumerated subparts, as well as several hundred other subparts that are not specifically enumerated, and 23 additional requests for production. Like the Request for Production, the Interrogatories seek information on a plethora of topics for a 15 year span of time related to the Zimmer Entities' employees, the design, manufacture, regulation, marketing, and sale of multiple components, and multiple other topics. A copy of the Interrogatories is attached as Exhibit B to this motion.

4. Counsel for the parties have already agreed to meet and confer regarding the Request for Production and Interrogatories in Chicago on November 29, 2011.

5. Because the Request for Production and Interrogatories seek extensive documents and information, counsel for the Zimmer Entities require at least thirty additional days adequately to respond. Extending the time within which the Zimmer Entities must respond to the discovery requests will allow the parties to negotiate their breadth and scope prior to the service of the Zimmer Entities' responses.

6. Counsel for the Zimmer Entities contacted co-lead counsel for the plaintiffs to request an additional thirty days to respond to the Request for Production and Interrogatories. Co-lead counsel for the plaintiffs objected to any extension of time to provide objections to the pending discovery requests. The Zimmer Entities believe that preparing detailed objections to over 350 document requests and interrogatories would be premature, and would defeat some of the purpose of the expedited meet and confer the parties have already scheduled.

7. Accordingly, the Zimmer Entities move the Court for an order providing the Zimmer Entities with an additional thirty days to respond to the Request for Production and the Interrogatories. Currently, responses to the Request for Production and Interrogatories are due

December 5, 2011. Should the Court grant this Motion, the responses would be due on January 4, 2012.

Dated: November 18, 2011

Respectfully submitted,

BAKER & DANIELS LLP

/s/ Joseph H. Yeager, Jr.

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CERTIFICATE OF SERVICE

I certify that on November 18, 2011, a copy of the foregoing Motion For Extension Of Time To Respond To Discovery Requests was filed electronically. Parties may access this filing through the Court's system. I further certify that on November 18, 2011, a copy of the foregoing was sent by first-class United States mail, postage prepaid, to the following:

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